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FREQUENTLY ASKED QUESTIONS ABOUT DTSC'S INFORMAL APPEALS CONFERENCE

1. *What is the Informal Appeals Conference?*

The Informal Appeals Conference (IAC) is an opportunity for only those persons who have submitted written arguments (briefers) to address the DTSC Permit Appeals Officer to explain, clarify or re-state their written arguments. It may be scheduled by the DTSC Permit Appeals Officer before issuance of the appeal decision, in response to a request by one or more briefers to DTSC as part of their submission of written arguments during the established DTSC briefing period.

2. *Who may participate in the IAC?*

Speakers are limited to those who submitted written arguments. All community members and other interested persons may attend and observe the proceeding. Media may attend as members of the general public. Electronic recorders or photographic equipment are not permitted.

3. *Where is the IAC held?*

The location for this quasi-judicial proceeding may vary, based upon accessibility, availability of parking, security, and the functionality and quality of the meeting facility and systems. The preferred location is a DTSC Regional office, although appropriately located state offices and community locations with suitable facilities will be considered.

4. *When is IAC held?*

The IAC will usually be scheduled within 75 days after the end of the briefing period. To maximize participation, holiday periods are avoided. The IAC is usually held during normal business hours but at the discretion of the Permit Appeals Officer the IAC can be held at a time more convenient to the community and other interested persons.

5. *What legal considerations are relevant to the IAC?*

The IAC supplements the briefing process set forth in Title 22 California Code of Regulations section 66271.18 (c). The IAC is an entirely voluntary and elective opportunity for briefers to explain or emphasize their written submissions and for the DTSC Permit Appeals Officer, and/or the assigned attorney, to ask questions of the briefers. No documentary materials or evidence can be accepted.

6. *What notice of the IAC is given, and to whom?*

Written notice is mailed, or e-mailed if no mailing address has been provided, to briefers and persons who have requested a notice, approximately thirty (30) days before the IAC is scheduled. Notice is placed on the DTSC website and the information repositories established for this facility. DTSC welcomes the assistance of community leaders and other interested persons for help in sharing the information.

7. *How is the IAC conducted?*

As chair, the DTSC Permit Appeals Officer regulates the course of the proceeding, including allocation of time to speakers, ordering of the speakers, and maintaining decorum appropriate for a quasi-judicial proceeding. Because of the need to create an accurate stenographic record for the Permit Appeals Officer, the speakers will be required to speak from a podium, one at a time. Usually each speaker will be allotted thirty (30) minutes for his/her remarks, a portion of which time may be reserved for rebuttal. Generally, non-facility speakers will be first, followed by the facility, which will be followed by the DTSC representative and then by rebuttal in the same order. The IAC will be recorded by a court reporter.

8. *Are language translation, interpretation, or other accommodations provided?*

Speakers who provide reasonable notice to DTSC will be provided reasonable accommodations such as handicap access and language interpretation during the IAC. Document translation services will not be provided.

9. *What are the possible outcomes of the IAC?*

- a. Speakers get an opportunity to explain, clarify, re-state or emphasize their written submissions.
- b. Everyone present at the IAC will have a better understanding of the comments or issues and points of view presented.
- c. The DTSC Permit Appeals Officer is provided with information useful to make a decision on the appeal issues.

- d. No decision, or definitive comment on the merits of various arguments, is likely to be made at the IAC.
- e. The DTSC Permit Appeals Officer will later issue a written decision.
- f. The written decision will be provided to all briefers and will be posted on the DTSC website. A paper copy of the written decision will be available at the local DTSC regional office for a reasonable period.